

REMARKS

Applicant has requested continued examination of the application pursuant to 37 CFR 1.114. The requisite fee for this request for continued examination in the amount of \$375.00 is enclosed herewith.

Applicant has amended certain Claims and added new Claims. It is believed that the present amendment places these claims in condition for allowance. Specifically, the claims specify that the energy supply lines are located below the ground surface of an interstate highway and extend longitudinally of the median or right-of-ways of the highway and extend throughout a major portion of the length of the interstate highway.

The energy supply lines must be located in an interstate highway median or in the right-of-ways of an interstate highway. The energy supply lines must also extend longitudinally of the median or right-of-ways at an interstate highway. Finally, the energy supply lines must also extend throughout a major portion of the length of an interstate highway.

None of the references show this arrangement. The rejection of the Claims under 35 USC 102(b) or 35 USC 103 was based on the Colonial Pipeline Company website pages. Applicant's claimed process was deemed anticipated by Colonial Pipeline as inherent in the general disclosure of Colonial Pipeline. The Colonial Pipeline documents disclose a diagrammatic pipeline route (System Map) extending diagonally in a northeasterly direction through several states. It does not appear to track any interstate highway much less be located in an interstate highway system.

Nevertheless, it is contended that it would be inherent that should a pipeline system need to pass or parallel an interstate highway, "permission" is acquired. This rejection seems to imply that any pipeline route would anticipate applicant's process or render the process obvious by the simple expedient of laying out a pipeline (in a median of an interstate highway) from "point a" to "point b". Applicant contends otherwise.

No reference including the Colonial Pipeline documents discloses or suggests the claimed invention. Applicant believes the claims to be allowable and entry is respectfully requested. Applicant also believes this amendment places the claims in better condition for appeal.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class main in an envelope addressed to: "MS" Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 11, 2003.

Herman H. Bains